United Nations A/65/540 S/2010/553

General Assembly
Security Council

Distr.: General
26 October 2010

Original: English

General Assembly
Sixty-fifth session
Agenda items 107 and 122 (v)

Measures to eliminate international terrorism

Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Shanghai Cooperation Organization

Security Council
Sixty-fifth year

Letter dated 21 October 2010 from the Permanent Representatives of China and the Russian Federation to the United Nations addressed to the Secretary-General

We have the honour to enclose herewith a joint statement on the all-round deepening of the Chinese-Russian Federation partnership and strategic cooperation, which was signed by the Presidents of the People's Republic of China and of the Russian Federation on 27 September 2010 in Beijing (see annex).

We request your kind assistance in having the contents of this letter and its annex circulated as a document of the General Assembly, under agenda items 107 and 122 (v), and of the Security Council.

(*Signed*) **Li** Baodong
Permanent Representative of the
People's Republic of China to the United Nations

(*Signed*) Vitaly **Churkin**
Permanent Representative of the
Russian Federation to the United Nations

10-66401 (E) 031110 081110

Please recycle

Annex to the letter dated 21 October 2010 from the Permanent Representatives of China and the Russian Federation to the United Nations addressed to the Secretary-General

[Original: Chinese and Russian]

Joint statement of the Russian Federation and the People's Republic of China on the comprehensive deepening of Russian-Chinese partnership and strategic cooperation

27 September 2010

At the invitation of the President of the People's Republic of China, Mr. Hu Jintao, the President of the Russian Federation, Mr. Dmitry Medvedev, paid an official visit to the People's Republic of China from 26 to 28 September 2010. The two heads of State held talks both in private and in more inclusive meetings. President Medvedev also met the Chair of the Standing Committee of the National People's Congress, Mr. Wu Bangguo, the Premier of the State Council, Mr. Wen Jiabao, and the Vice President, Mr. Xi Jinping.

In the city of Dalian, the Russian President, Mr. Medvedev, visited the memorial to Soviet soldiers who perished in World War II and took part in activities to mark the Russian National Day at the Expo 2010 world exhibition in Shanghai. The Russian Federation sets high store by the Expo 2010 world exhibition organized by China and supports China in that endeavour. For its part, China expresses its appreciation to the Russian Federation for its support, and stresses its readiness to work together with all parties in their efforts to transform Expo 2010 into a colourful and unforgettable event, which will help foster exchanges between the peoples of all countries and will contribute to the sustainable development of humankind.

The heads of State discussed ways of carrying forward the strategic cooperation partnership between their two countries and spoke highly of the significant progress made in recent years in all spheres of cooperation. They noted with gratification that, over those years, political trust between them had grown, bilateral relations had steadily expanded in a practical manner, close contacts and coordination were being maintained in international and regional affairs, and mutual understanding and friendship between their peoples had strengthened. Thanks to their strategic and long-term nature, Russian-Chinese relations had become an important stabilizing factor in contemporary international politics.

The heads of State noted that the modern world was passing through a time of major change, restructuring and development. The processes of multilateralism and economic globalization were gaining in momentum. There were ever stronger aspirations towards peace and development, and nations were becoming increasingly interdependent. The notions of multilateral cooperation and the democratization of international relations were becoming more deeply entrenched in the mindsets of people. The principles of open cooperation, mutual benefit and common good had been espoused by most members of the international community. The two countries were resolved to continue strengthening their comprehensive cooperation and building mutual support in such matters as choosing their own path of development and protecting each other's State sovereignty, security and territorial

integrity, maintaining international peace and stability, and building a new, more just, rational and democratic world order.

In this regard, the heads of State made the following statement:

I

1. The parties will continue to maintain close high-level and other contacts at all levels for the exchange of views on bilateral relations and major international issues of common concern and will constantly enhance the strategic mutual trust between China and Russia.

2. The parties believe that mutual support in matters of State sovereignty, unity and territorial integrity which affect the fundamental interests of both countries is an important component of Russian-Chinese strategic cooperation. The Russian Federation reaffirms its staunch support for the principled position of China on Taiwan, Tibet and the Xinjiang Uighur Autonomous Region and for China's policy on matters concerning the protection of its State unity and territorial integrity. China reaffirms its support for Russia's efforts to protect its vital interests and to promote peace and stability throughout the Caucasus region and the countries of the Commonwealth of Independent States.

The parties reaffirm their determination not to permit efforts to reinterpret the outcome of the Second World War and to resist attempts to distort the history of the war, to celebrate the Nazis, the warmongers and their accomplices as heroes and to denigrate the liberators.

3. The parties believe that, with the signing of the Agreement between the Russian Federation and the Republic of China on Cooperation in Combating Terrorism, Separatism and Extremism, a solid foundation has been laid for Russian-Chinese cooperation in efforts to counter these threats. In order to put that agreement fully into effect, and to improve bilateral cooperation in meeting other challenges and threats of the current time, the parties shall give new vigour to the Russian-Chinese counter-terrorism working group, extending its mandate to include the full range of new threats and challenges and convening its meetings on a regular basis.

4. The parties shall work together to tackle the global financial crisis and stimulate the recovery and growth of their bilateral economic and trade cooperation. On the basis of their national modernization and economic development strategies, Russia and China shall work to improve the structure of their bilateral trade, reorganize it and reconfigure its growth pattern, to increase the supply of engineering and hi-tech products, to create modern logistics and trading platforms, to expand exchanges and cooperation in the creation of special economic zones and the protection of intellectual property, to speed up the implementation of major bilateral projects, and to create conditions for the steady, healthy and sustainable development of Russian-Chinese trade and economic cooperation.

5. The parties endorse the cooperation launched by companies of their two countries in the fields of engineering, communications, telecommunications, banking, insurance, innovative and applied scientific projects, the chemical, timber and mining industries and interregional cooperation, following the ratification by their heads of State in June 2009 of the Russian-Chinese Investment Cooperation Plan, and look forward to the further strengthening of the role of Russian-Chinese

investment forums, to improvements in the investment climate, to more practical and flexible ways of promoting large-scale investment cooperation projects and to the continuous improvement of the quality and level of such cooperation.

6. The parties recognize the important role and effectiveness of the mechanism for Russian-Chinese energy discussions and are highly gratified by the implementation of agreements signed between them on cooperation in the energy sector. The parties stress that the completion of the Russian-Chinese oil pipeline stands as a major achievement in the energy cooperation between the two countries, which will stimulate economic development in Russia and China. The parties have decided actively to pursue cooperation in the oil, gas, coal, electricity and nuclear power sectors, in efforts to boost their energy efficiency and use of renewable energy, to reach agreement at the earliest possible stage on initiating the construction of the Russian-Chinese gas pipeline, to promote the comprehensive development of coal deposits, including the construction of railways and ports, and to continue to supply electricity and equipment for their power grids.

7. The parties will continue putting into effect the programme on cooperation between Russia's Far East regions and Eastern Siberia and the North-East of China (for the period 2009-2018), will vigorously promote the construction of infrastructure and other major regional cooperation projects and will fully support cooperation between those regions of the two countries on the basis of the agreed bilateral arrangements.

8. The parties express their satisfaction with the sustained development of cooperation in science and technology and in cutting-edge research and development and deem it essential that they continue their joint basic research and high-tech projects in key areas of science, engineering and technology and actively promote the application of their results in the production sector. The parties believe that targeted credits should be used in support of such hi-tech research and development and for the joint implementation of large-scale innovative projects.

9. The parties declare that they will actively promote the expansion of financial cooperation, continue to develop their own financial markets, and improve the investment climate. They support the trading of the ruble against the yuan on the countries' interbank foreign exchange markets, which will help create favourable conditions for bilateral settlements in national currencies and thereby stimulate bilateral trade and investment.

10. The parties believe that the joint work in the environmental field carried out under the environmental protection subcommission of the commission responsible for preparing the regular meetings of heads of government of Russia and China sets a good example of cooperation between the two countries. The parties have attained positive results in their efforts to prevent and control pollution, to set in place an efficient system of focal points for response to natural disasters, to monitor and protect the water quality of transboundary water bodies, to protect transboundary nature reserves and to conserve biological diversity. The results of joint Russian-Chinese monitoring show a marked improvement in water quality in transboundary watercourses. Joint monitoring has laid a solid foundation for bilateral cooperation in efforts to ensure the sound use and protection of transboundary waters. The cooperation between the central and regional authorities of both countries and their joint action at all levels stand as an effective model for cooperation in environmental protection.

11. The parties highly appreciate the important role played by the reciprocal conduct of Russian and Chinese language years in strengthening the mutual trust and friendship between the peoples of the two countries and in consolidating the social underpinnings of Russian-Chinese relations. The parties have agreed to continue strengthening their cooperation in the spheres of education, culture, health, sport, tourism, the media, film and archival work, focusing on activities for the Year of Chinese Language in Russia and on the systematic conduct of arts and humanities projects under the national years of Russia and China. The parties note the success of the summer holiday spent in China in 2010 by the first batch of 500 Russian schoolchildren and state their intention to arrange a summer holiday in China for a second batch of Russian schoolchildren in 2011.

12. The parties express their readiness to continue promoting cultural exchanges and cooperation between the two countries and, to this end, to undertake the joint organization of Russian and Chinese cultural festivals and other events. The parties believe that the opening by Russia and China of cultural centres in each other's countries will play an important role in strengthening cultural contacts and cooperation between those two countries. Both Governments will support the work of the cultural centres.

13. The parties have reached agreement on holding reciprocal tourism years in Russia and China and have instructed their relevant authorities to draw up lists of specific activities for the years and to develop timetables for their conduct.

14. The parties have agreed to widen their cooperation in organizing the reciprocal broadcasting of their own television channels in the territory of the other country.

II

1. The parties declare that they will work together with the international community to tackle global challenges, they will uphold the rules of international law, they will actively advocate the multilateralism and democratization of international relations, they will promote a more just, rational and democratic international political and economic order and they will make unremitting efforts to bring lasting peace, universal prosperity and harmony to the planet.

2. The parties note that the global economy is currently showing signs of recovery. The main stumbling blocks have not, however, been completely eliminated. The impact of the global financial crisis persists and the foundations for recovery are still not sufficiently robust.

The parties advocate the conduct by all countries of coordinated, concerted and stable macroeconomic policies, continued efforts to take into account the special characteristics of each country in measures to stimulate their economies while ensuring the stability of their national financial systems, the further reform of the international financial system, the improvement of the mechanisms driving the global economy, and opposition to all forms of protectionism. The parties are resolved to work with the international community to promote the establishment and enhancement of a balanced, favourable and universally beneficial multilateral trade regime.

3. The parties believe that the international security situation is generally favourable, but that the potential causes of instability and uncertainty are on the increase. Global problems are increasingly asserting themselves and other problems

of international and regional scope flare up from time to time. Traditional security issues are taking on a new dimension, while non-traditional security issues are becoming more acute. They are becoming increasingly intertwined, thereby posing a serious challenge to world peace and stability. The parties call for mutual trust and strengthened cooperation in the domain of security and for international disputes to be settled through dialogue and consultation.

The parties believe that the safeguarding of peace, security and stability in the Euro-Atlantic and Eurasian regions is important not only for the countries of those regions, but also for the world as a whole. China takes a positive view of the response by the Russian Federation to the new security threats and challenges, in keeping with the principle of equal and indivisible security, and of its efforts to rally together all the parties concerned to promote the conclusion of a treaty on European security, and it opposes the expansion of military alliances.

4. The parties point to the universal nature and the central coordinating role of the United Nations in maintaining world peace, fostering common development and promoting international cooperation. They support the reform of the United Nations Security Council with a view to improving its efficiency and effectiveness and rendering it more representative. The parties call on the States Members of the United Nations to consult as widely as possible among themselves in a democratic spirit in an endeavour to reach consensus on that reform.

5. The parties take a positive view of the role played by the Group of Twenty in responding to the global financial and economic crisis and helping the recovery of the world economy, and support the role of the Group of Twenty as the main forum for international economic cooperation, which should continue to focus on the key global economic, financial and development-related issues. The parties believe that the Group of Twenty should be a representative, equitable and efficient structure which is focused on the reform of global economic governance and the international financial system and helps promote the vigorous, sustained and balanced growth of the global economy. The Group of Twenty must ensure that the decisions of the Pittsburgh Summit on the redistribution of quotas and votes in the International Monetary Fund should be put into effect before the Seoul Summit, that fiscal consolidation is achieved in the agreed time frame, that progress is encouraged in the reform of financial regulation, that all forms of protectionism are resisted and that increased attention is given to the issue of development. The parties will strengthen their communication and coordination within the Group of Twenty on the key financial and economic issues, such as reforming the model of sustainable economic growth and the system of international financial regulation.

6. The parties declare that they attach great importance to the problems of global climate change and firmly subscribe to the principles enshrined in the United Nations Framework Convention on Climate Change and the Kyoto Protocol, including the principle of common but differentiated responsibility. The parties stand ready, on the basis of the outcome of the United Nations Climate Change Conference in Copenhagen in December 2009, to work with other parties in a concerted endeavour to carry forward the international negotiating process, to contribute actively to strengthening international cooperation and to join forces in meeting the challenges of global climate change.

7. The parties firmly resolve to enhance their cooperation in such areas as international arms control, disarmament and preventing the proliferation of weapons of mass destruction and their means of delivery.

The parties reaffirm their commitment to the goal of a nuclear-weapon-free world. If this long-term goal is to be attained, all States must take concerted action to maintain global stability and international and regional peace and must promote arms control, disarmament and non-proliferation in keeping with the principle of equal and indivisible security for all.

The parties maintain that preventing the spread of nuclear weapons is essential for international and regional peace and security. The Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the international non-proliferation system.

The parties welcome the positive results achieved at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and are resolved to join efforts in seeking further balanced progress towards the Treaty's three key objectives: nuclear non-proliferation, nuclear disarmament and the peaceful uses of atomic energy, and also to keep working to expand the Treaty's membership and to strengthen its credibility and effectiveness. The parties maintain that an effective safeguards system under the International Atomic Energy Agency is vital to countering the proliferation of nuclear weapons and to cooperation in the peaceful uses of the atom. The signing by the Russian Federation and the United States of America of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms marks an important step in the implementation of article VI of the Nuclear Non-Proliferation Treaty.

The parties support the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, the launching as soon as possible of negotiations in the Conference on Disarmament in Geneva of a treaty banning the production of fissile material for nuclear weapons, and progress in the establishment of regional nuclear-weapon-free zones, in particular in the Middle East.

The parties are determined to continue their constructive cooperation on issues related to Iran's nuclear programme, both at a bilateral level and in the six-country framework, and stress that this issue should be resolved by political and diplomatic means on the basis of strict compliance by all parties with the Treaty on the Non-Proliferation of Nuclear Weapons. The parties highlight the need for a comprehensive and long-term negotiated solution designed to restore international confidence in the exclusively peaceful nature of Iran's nuclear programme. To this end, concerted and practical measures should be taken to ensure the earliest possible resumption of talks between Iran and the group of six countries, along with efforts to put into effect the arrangements for supplying fuel to the Tehran research reactor. These arrangements constitute an important measure in building confidence between the parties and will provide impetus for progress in dealing with other aspects of the Iranian nuclear issue.

The parties believe that the bolstering of nuclear security is vital in promoting the sustainable development of nuclear energy and the economy, in preventing nuclear terrorism and in strengthening international peace and security, and that it serves the interests of all States. They support strengthened cooperation by the international community in this domain.

The parties set great store by the building of a dialogue of trust between Russia and China on missile defence matters and emphasize the importance of maintaining a global strategic balance and stability and the need to take into account the interests of all States and to ensure their equal security. The parties reaffirm their willingness actively to promote the international endeavour within the Conference on Disarmament in Geneva to prevent an arms race in outer space. The parties will continue strengthening their communication and cooperation on missile defence and space issues.

8. The parties note that the proliferation of threats and challenges facing the Asia-Pacific region necessitates further efforts by all countries in the region to safeguard their regional security and stability. The parties have decided to mount a joint initiative to strengthen security in a spirit of mutual trust, mutual benefit, equality and cooperation. They advocate the creation in the Asia-Pacific region of an open, transparent and equitable security and cooperation architecture, based on the principles of international law and non-alignment and taking due account of the legitimate interests of all parties. It is important that all States in the region should abjure confrontation and refrain from cooperation that is directed against third countries.

The parties call upon all States of the Asia-Pacific region to abide by the following fundamental and internationally recognized principles when engaging in bilateral and multilateral security cooperation:

- To respect one another's sovereignty, independence and territorial integrity and not to interfere in one another's internal affairs;
- To reaffirm their adherence to the principle of equal and indivisible security;
- To reaffirm the defensive nature of their military policy;
- Not to use or threaten to use military force;
- Not to undertake or to support any action aimed at overthrowing the Governments or undermining the stability of other States;
- To settle the differences among them by peaceful political and diplomatic means on the basis of mutual understanding and a willingness to seek compromise;
- To strengthen cooperation in responding to non-traditional security threats;
- To develop bilateral and multilateral military cooperation that is not directed against third countries;
- To develop cross-border cooperation and to strengthen contacts between their people.

The parties note that the building of partnerships between multilateral associations of the Asia-Pacific region could further the above principles and security measures.

9. The parties declare that the Shanghai Cooperation Organization plays an important role in maintaining regional and global security, deepening mutual trust and good neighbourliness, reinforcing practical cooperation between member States of the Organization, and also promoting the further democratization of their international relations. The vigorous development and strengthening of the Shanghai Cooperation Organization and the enhancement of its influence are in the

fundamental interests of all its members. The parties will continue to build their strategic cooperation and make efforts to strengthen the role of the Organization in safeguarding regional security, confronting common threats and challenges, and promoting cooperation in the economic and humanitarian spheres.

The parties reaffirm that the commitment by the Shanghai Cooperation Organization to the fundamental principle of openness, as enshrined in its charter, is a key factor in ensuring the further enhancement of its international prestige. The parties will make joint efforts to improve the legal framework governing the admission of new members to the Organization.

10. The parties affirm that they hold the same position on the issue of maintaining peace and stability in the area covered by the Shanghai Cooperation Organization, including that of Central Asia. The parties shall continue to promote the sustainable development of other member States, taking into account their national circumstances, and to strengthen cooperation with them in the political, economic and humanitarian spheres. In this, particular attention will be given to efforts to counter terrorism, separatism, extremism, drug trafficking and transnational organized crime, to maintain peace and stability, and to promote the economic development and prosperity of all the countries in the region.

11. The parties voiced their concern at the situation prevailing on the Korean peninsula and expressed themselves in favour of improving relations through dialogue and contacts, along with enhancing mutual understanding and trust among all stakeholders. The parties believe that the Six-Party Talks should be resumed at the earliest possible stage and the Joint Statement of 19 September 2005 put fully into effect.

12. The parties emphasize that the development of dialogue and cooperation within the BRIC (Brazil, Russia, India, China) framework is in the shared interests of countries with emerging market economies and developing countries, and will contribute to the formation of a new and more harmonious international system based on multilateralism and the democratic principles of global governance. The parties state their determination to continue to develop all-round practical cooperation between the four countries, working steadily, proactively and pragmatically, in a spirit of open dialogue and partnership. The Russian Federation welcomes China's decision to host the third official meeting of BRIC leaders in 2011, and will actively support China in that undertaking.

13. The parties will continue to strengthen the tripartite dialogue between Russia, China and India and to join efforts in creating an enabling environment in the Asia-Pacific region and the world at large. Russia and China will endeavour to make substantial progress in that tripartite endeavour in such areas of cooperation as emergency relief, agriculture, health and exchanges between the academic and business communities, and will also promote multilateral cooperation and the democratization of international relations.

14. The parties reaffirm their strong commitment to a comprehensive, just and lasting settlement to the Arab-Israeli conflict based on universally recognized international law, including the Madrid Principles, the relevant resolutions of the United Nations Security Council, the principle of "land for peace" and the Arab Peace Initiative. The parties welcome the relaunching on 2 September 2010 of direct

Israeli-Palestinian negotiations and express their hope that those talks will yield positive results.

15. The parties reaffirm their commitment to the emergence of Afghanistan as a peaceful, stable, independent, self-determining, developing, neutral and progressive State, free from terrorism and drug trafficking. Taking a generally positive view of the progress achieved in the peaceful reconstruction of Afghanistan, the parties state their intention to continue to participate actively in that process. The parties support the provision of assistance by the international community under the leadership of the United Nations for the rebuilding of Afghanistan, and call for a joint endeavour to promote peace, stability and the development of that country and its surrounding region, while respecting its independence, sovereignty and territorial integrity.

The talks between the heads of State of Russia and China were held in an atmosphere of friendship, mutual trust and cooperation and yielded significant practical results. The parties declare themselves satisfied with the outcome.

President Dmitry Medvedev of the Russian Federation has invited President Hu Jintao of the People's Republic of China to visit Russia in 2011 at a time convenient to him. The invitation was accepted with gratitude. Specific dates for the visit will be arranged through diplomatic channels.

United Nations S/2010/554

Security Council

Distr.: General
27 October 2010

Original: English

Letter dated 21 October 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council

I have the honour to write to you in your capacity as President of the Security Council for the month of October 2010 and attach herewith a press release dated 18 October 2010 on the thirteenth round of Geneva discussions on security and stability in Transcaucasia and a statement of the Ministry of Foreign Affairs of the Russian Federation dated 19 October 2010 on the withdrawal of the Russian border post from Perevi village on the border between Georgia and the Republic of South Ossetia (see annexes).

I would like to request your kind assistance in having the present letter and its annexes circulated as a document of the Security Council.

(*Signed*) Vitaly **Churkin**

10-60447 (E) 041110

Please recycle

Annex I to the letter dated 21 October 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council

Press release

Thirteenth round of Geneva discussions on security and stability in Transcaucasia

18 October 2010

On 14 October, Geneva hosted the thirteenth meeting of international discussions on security and stability in Transcaucasia. It was attended by delegations of the Republic of Abkhazia, Georgia, the Russian Federation, the United States, and the Republic of South Ossetia, and by European Union, United Nations and Organization for Security and Cooperation in Europe representatives. Deputy Minister for Foreign Affairs/State Secretary Grigory Karasin headed the Russian delegation.

The security group held an exchange of views on the current situation on the borders of Abkhazia and South Ossetia with Georgia. It was stated that the situation is changing for the better, is more stable and predictable. The nature of cross-border incidents has also changed — there are almost no casualties and large-scale firefights. This is largely due to an agreement on joint incident prevention and response mechanisms in the Abkhaz-Georgian and South Ossetian-Georgian border areas. Support was expressed for the regular activities of the incident prevention and response mechanisms on the border between Abkhazia and Georgia. It was noted that the recent report of Council of Europe Commissioner for Human Rights Thomas Hammarberg on the monitoring of investigations into cases of missing persons in the territory of Georgia and South Ossetia is helpful towards an early resumption of the regular work of the mechanisms on the border of these two states.

In an effort to strengthen regional stability and security, and acting in good faith, the Russian side announced its decision in the coming days to withdraw the Russian border post from the disputed area of Perevi village on the western border of South Ossetia and Georgia to deep into South Ossetia. The co-chairs of the Geneva discussions gave a positive assessment of the responsible stance of Russia on this issue.

The chief issue of the Geneva discussions — of Georgia's commitments not to use force against South Ossetia and Abkhazia — continued to be discussed. The delegations of Abkhazia and South Ossetia again noted the futility of further work on other issues of the agenda without addressing this problem. The reaction of the representatives of Tbilisi showed that the current Georgian authorities are still not ready for substantive and constructive dialogue on this major problem. The Russian side expressed support for the revitalization of the activity of the security group to find an acceptable solution.

The South Ossetian delegation refused to continue discussing the problems of refugees and displaced persons within the humanitarian group following the adoption by the General Assembly on 7 September 2010 of the Georgian draft resolution on the status of refugees from Abkhazia and South Ossetia, and suggested

that the debate on the subject of refugees be transferred to the General Assembly and its committees. At the same time, the representatives of Tskhinval expressed the readiness to arrange the return of refugees, including those from Georgia, to the Leningorsk district of South Ossetia and to provide them with South Ossetian documents to facilitate the swift resolution of social problems.

The co-chairs of the humanitarian group suggested a phased approach consisting of initial joint fact-finding regarding the number and categories of refugees and displaced persons existing in the territories of Abkhazia, Georgia and South Ossetia. The Russian and Abkhaz delegations, having essentially shared the South Ossetian démarche on the counterproductive effect of the Georgian draft resolution on refugees for the continuation of this work in Geneva, generally supported the concept of a phased approach. At the same time, they noted the paramount need to create safe conditions for the return of refugees, as indicated in the report of the Secretary-General on the humanitarian situation in Transcaucasia. It is also important to consider that any decisions taken at the Geneva discussions are by consensus. It is therefore necessary to continue to work in a manner that is acceptable to all participants. The Russian side expressed its readiness to render any assistance to the Abkhaz, Georgian and South Ossetian delegations on the subject of refugees and displaced persons.

Prior to the meeting in Geneva, experts from the secretariats of the United Nations and the Organization for Security and Cooperation in Europe had organized two information sessions on the practice of exchanging information and establishing contact between parties in conflict (as illustrated by the Cyprus problem) and on solving property rights issues (as illustrated by Bosnia and Herzegovina). All participants acknowledged the usefulness of such additional information briefings. With regard to the Geneva discussions, the problem of applying international practices comes to the fore, taking into account the whole complex set of current developments in Transcaucasia, including the enlargement in 2008 of the range of independent states in the region.

The next meeting in Geneva is scheduled for 16 December 2010.

Annex II to the letter dated 21 October 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council

Statement of the Russian Ministry of Foreign Affairs

Withdrawal of the Russian border post from Perevi village on the border between Georgia and the Republic of South Ossetia

19 October 2010

Acting in a spirit of goodwill, the Russian side has relocated to deep into South Ossetia the border post that was for two years in disputed territory near the village of Perevi (western border of South Ossetia with Georgia).

This was preceded by serious preparation. Under the auspices of Russia's Federal Security Border Service, a bypass road over 10 kms in length had been built in difficult mountain terrain to connect the Karzmanskoye Gorge to the rest of South Ossetia. It is important in supplying the local Ossetian population.

The main relocation parameters of our border guards had been preliminarily discussed with the leadership of the European Union Monitoring Mission in Georgia. We had confirmed that we were intending to lift from the agenda this technical problem, repeatedly raised lately by our western partners, subject to the provision by the European Union Mission of clear security guarantees from the Georgian side of the border, and to the conduct by the Mission leadership of the relevant "educational" work with Tbilisi in order to prevent any possible provocations. It was important to avoid a repetition of the events of December 2008, when the first attempt at a voluntary withdrawal of the Russian post had already been made, but had failed because, after the pullout of Russian troops, Perevi was immediately occupied by a large force of Georgian Interior Ministry special forces, and Georgia's propaganda presented the matter as its "big victory". Then, a real threat arose for the South Ossetians living in the Karzmanskoye Gorge, and our border guards were forced to return to Perevi.

The necessary assurances from the European Union Mission had been given to us. The withdrawal of the Russian border post was performed this time in the presence of European Union observers. There was no interference from a small unit of Georgian police. Observers of the European Union Mission will monitor the situation in Perevi for at least a few weeks until the situation has fully stabilized in the area.

We hope that this move of the Russian side, aimed at reducing tensions on the borders of Georgia and South Ossetia, will receive an adequate and constructive response from the Georgian side and the international community.

With the withdrawal of the Russian border post from Perevi, the issue of alleged non-compliance by us with the Medvedev-Sarkozy agreement has been definitely closed. The borders of the Republic of South Ossetia and the Republic of Abkhazia are securely protected by Russian border guards on the basis of the bilateral agreements of 30 April 2009 with these states.

United Nations S/2010/555

Security Council

Distr.: General
28 October 2010
English
Original: French

Letter dated 26 October 2010 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you herewith the Government communiqué relating to the attack by Mai-Mai elements on a United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) base in Rwindi, North Kivu, on 23 October 2010.

My Government would be grateful if you would have the text of this communiqué circulated as a document of the Security Council.

(*Signed*) Ileka **Atoki**
Ambassador

10-60861 (E) 291010 291010

Please recycle

Annex to the letter dated 26 October 2010 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Government Communiqué

The Government of the Democratic Republic of the Congo has learned with dismay of the attack by Mai-Mai elements, on Saturday, 23 October 2010, on a base of MONUSCO Blue Helmets in Rwindi (North Kivu), two months after the attack in which three Blue Helmets were killed and seven others wounded.

During the fighting, eight of the assailants were killed and two others wounded; they were taken prisoner and are now being treated at the hospital in Rutshuru. Members of the armed forces of the Democratic Republic of the Congo who helped track them down also captured a number of individuals who are currently in custody.

The attackers, some 50 men armed with AK-47 rifles and locally made weapons, were driven off. Weapons, grenades, explosives and ammunition were seized from them.

The Government of the Democratic Republic of the Congo extends its condolences to MONUSCO. It strongly condemns these acts and once again issues a warning to all who fish in the murky waters of the foreign and national terrorist groups that are casting a shadow over the eastern part of the country. They will be punished and their punishment will serve as an example.

Done at Kinshasa

(*Signed*) Lambert **Mende Omalanga**

United Nations S/2010/556

Security Council

Distr.: General
27 October 2010

Original: English

Report of the Secretary-General pursuant to Security Council resolution 1897 (2009)

I. Introduction

1. The present report is submitted pursuant to paragraph 17 of Security Council resolution 1897 (2009) of 30 November 2009, in which the Council requested me to report on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia. The report updates the assessment contained in my report of 13 November 2009 (S/2009/590), submitted pursuant to Security Council resolution 1846 (2008), and is based on information received as at 11 October 2010.

2. As in my previous report, the following assessment and recommendations are based on information provided to me by Member States and regional organizations in conformity with paragraph 16 of resolutions 1846 (2008) and 1897 (2009). Information was provided by Belgium, Bosnia and Herzegovina, Brazil, the Czech Republic, Denmark, Egypt, Germany, Greece, Italy, Japan, Lithuania, Malta, New Zealand, Oman, the Philippines, Portugal, the Republic of Korea, Seychelles, Spain, the United Kingdom of Great Britain and Northern Ireland, the European Union, the League of Arab States and the North Atlantic Treaty Organization (NATO). The following shipping and related organizations also provided information: the Baltic and International Maritime Council (BIMCO), the International Association of Independent Tanker Owners (INTERTANKO), the International Chamber of Shipping and the International Shipping Federation. Consultations have also been undertaken within the United Nations system as well as with the International Criminal Police Organization (INTERPOL) and the Somalia-Eritrea Monitoring Group established pursuant to resolution 1916 (2010).

3. The present report considers the situation of piracy and examines the political, legal and operational activities that have been undertaken by Member States, regional organizations and the United Nations and its partners in the fight against piracy and armed robbery at sea off the coast of Somalia. It concludes with observations on the impact of the strengthened international naval presence in the region, which has made progress in containing the threat of piracy. It suggests that much more needs to be done, notably to address the root causes of the problem by restoring stability and the rule of law in Somalia. Counter-piracy efforts should be part of the overall strategy of the Djibouti Peace Agreement and contribute to a long-term solution for the country.

10-58802 (E) 291010

Please recycle

II. Reported incidents of piracy off the coast of Somalia

4. Reports by the International Maritime Organization (IMO) indicate that in the first nine months of 2010, there were 164 attacks against ships in the waters off the coast of Somalia, resulting in the hijacking of 37 ships. The majority of attacks leading to vessels being hijacked during 2010 — 25 — took place in the Western Indian Ocean. This compares with 193 reported attacks and 33 ships hijacked during the same period in 2009. The reports imply that the level of violence employed by the pirates has increased. The effectiveness of naval disruption operations has also increased. Ships that are fully implementing IMO guidance and industry-developed best management practices are at a significantly lower risk of being hijacked than those not doing so. As at 11 October 2010, 389 people and 18 vessels were being held hostage.

5. The strategy of using military intervention in a graduated manner has proved helpful, but the problem persists. The military presence in the internationally recommended transit corridor in the Gulf of Aden has helped to reduce the number of attacks and actual hijackings. However, pirates are still able to operate there, moving into and out of the Bab-el-Mandeb and the southern end of the Red Sea during the monsoon period and venturing as far out as Maldives during favourable weather. Tightened surveillance and control in the Gulf of Aden has forced the Somali pirates to expand their operations well into the Indian Ocean to more than 1,000 nautical miles off the Somali coast. This eastward and southward shift in piracy has brought a much greater maritime area under threat.

6. During the reporting period, pirate capacities increased with the development of pirate action groups, consisting of a large "mother boat" and two or three attack skiffs towed behind, enabling pirates to carry out attacks far off the coast (up to 1,300 nautical miles) against ever-larger freighters. There is evidence to suggest that some of those committing piracy are also engaged in other criminal activities such as smuggling contraband and trafficking in persons.

7. The plight of the 389 hostages currently held by pirates on Somali territory is of particular concern. They include seafarers from Asia, Africa, the Middle East and Europe, as well as tourists from Western Europe. Many Governments, shipowners and seafarers' associations have been expending great efforts to obtain their release. In this connection, I welcome the assistance provided to some victims and their families following their release. However, we all need to redouble our efforts to ensure the release of the victims still in captivity.

III. Cooperation with the Transitional Federal Government of Somalia and regional administrations

8. In accordance with Security Council resolution 1897 (2009) of 30 November 2009, the authorizations contained in resolutions 1846 (2008) and 1851 (2008) related to counter-piracy activity in the territorial waters off the coast of Somalia and in Somalia were extended. As at 11 October 2010, no additional Member State or regional organization had transmitted advance notification of its cooperation with the Transitional Federal Government of Somalia in the fight against piracy and armed robbery at sea off the coast of Somalia.

9. In January 2010, at a technical meeting on counter-piracy in Kampala, the Transitional Federal Government, "Puntland" and "Somaliland" agreed to establish a three-member technical committee, Somali contact group on counter-piracy, to coordinate the activities of their respective counter-piracy offices. The meeting was convened by the United Nations Political Office for Somalia (UNPOS) and supported by IMO, the United Nations Office on Drugs and Crime, the United Nations Development Programme (UNDP), the Food and Agriculture Organization of the United Nations, INTERPOL and the European Police Office (Europol). The group will serve as the national focal point for Somalia as defined in the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, which was adopted at a meeting convened by IMO in January 2009 and is the central instrument in the development of regional capacity to combat piracy.

10. Further meetings of the Somali contact group on counter-piracy, also known as the "Kampala process", were held in Djibouti, from 3 to 5 February 2010, and in Kampala, from 12 to 16 April 2010. Both meetings were convened and funded by IMO. The technical committee developed terms of reference, communications protocols and standard operating procedures. During a series of three meetings of legal officials from the Transitional Federal Government, "Somaliland" and "Puntland", held in Djibouti and facilitated by the United Nations Office on Drugs and Crime, the three sides agreed on a draft anti-piracy law for Somalia and began working on laws relating to the transfer of prisoners.

11. During the reporting period, the Transitional Federal Government liaison office in Nairobi continued its facilitation role with embassies and naval forces. This, combined with the increasing engagement by "Puntland" and "Somaliland" officials with international navies, has led to greater information-sharing and helped to build confidence. Politicians and religious and community leaders in Somalia have publicly delivered counter-piracy messages, including on the radio, detailing the damaging effects of piracy on society. Both "Puntland" and "Somaliland" have interdicted and arrested pirate suspects and accepted them for trial. Furthermore, building on the August 2009 Gaalkacyo Agreement, the Transitional Federal Government and "Puntland" signed a memorandum of understanding on cooperation on counter-piracy issues in April 2010.

IV. International cooperation to address piracy off the coast of Somalia

12. On 14 May 2010, the General Assembly held an informal meeting on international maritime piracy at which I strongly condemned this scourge and explored options to collaboratively respond to it. The President of the General Assembly concluded that the problem of piracy, if not addressed urgently and effectively, would spiral out of control and lead to further serious global consequences. With regard to Somalia, he said that the discussions had reaffirmed the urgent need for serious and concerted international efforts to bring peace and stability to the country, as piracy was only one symptom of the instability there. The meeting called for stronger and better-coordinated strategies to address the complex root causes of piracy, as part of a comprehensive approach.

13. The Istanbul Conference on Somalia, held from 21 to 23 May 2010, welcomed the various initiatives aimed at supporting the prosecution of suspected pirates. On 23 September 2010, participants in the mini-summit on Somalia held at United Nations Headquarters recognized the challenges posed by piracy and welcomed the commitment shown by the international community and the Transitional Federal Government to address the roots of the problem, in particular through the enhancement of the lives and livelihoods of the affected population and through the efforts of the Contact Group on Piracy off the Coast of Somalia.

14. The International Contact Group on Somalia, on 28 September 2010 in Madrid, called for the implementation of the Kampala framework through joint Somali efforts. The International Contact Group also welcomed the regional efforts made to address the problem as well as the work of international naval forces.

A. Contact Group on Piracy off the Coast of Somalia

15. Pursuant to Security Council resolution 1851 (2008), the Contact Group on Piracy off the Coast of Somalia was established on 14 January 2009 to facilitate discussions and the coordination of actions among States and organizations aimed at countering piracy off the coast of Somalia. In its first communiqué, dated 14 September 2009, the Contact Group indicated that it would report on its progress periodically to the Security Council. As of June 2010, the Group had 53 members.

16. The Contact Group has met six times since its creation. During the reporting period, the group met on 28 January 2010, under the chairmanship of Norway, and on 10 June 2010, under the chairmanship of Greece. The next meeting will take place in New York in November 2010, under the chairmanship of the Republic of Korea.

17. The Contact Group has established four working groups that are open to participation by all its members. The United Kingdom of Great Britain and Northern Ireland chairs Working Group 1, on operational coordination and regional capacity-building, with the support of IMO. Working Group 2, convened by Denmark, focuses on the legal aspects of piracy, with the support of the United Nations Office on Drugs and Crime. Working Group 3 addresses the strengthening of shipping self-awareness and other capabilities, and is convened by the United States of America, with the support of IMO. Egypt convenes Working Group 4, which seeks to improve diplomatic and public information efforts on all aspects of piracy.

18. During the reporting period, Working Group 1 continued to promote effective military coordination among the various naval forces combating piracy off the coast of Somalia. It also facilitated further regional capability development and discussed the possibility of increased land-based options in the region. Working Group 2 has developed a legal "toolbox" of resources and precedents that are available to Member States. It is reviewing the progress made in establishing relevant national legislation, in conducting prosecutions of suspected pirates and in looking at options relating to the transfer of convicted and sentenced pirates as well as the protection of human rights. Working Group 3 has reviewed the progress made in gathering and disseminating lessons learned and in the implementation of internationally recognized best management practices on-board vessels operating off the coast of Somalia. It has developed labour-related guidance in support of crew training and post-event activities. Working Group 4 has agreed that UNPOS should facilitate the implementation of a communications strategy. The strategy's main goals include

deterring Somali participation in piracy; encouraging international support for international counter-piracy operations; promoting the involvement of more stakeholders; and informing the international maritime community about potential risks.

19. The United Nations is an active participant in the Contact Group on Piracy off the Coast of Somalia. The Organization attends its biannual meetings, supports its four working groups through technical expertise and facilitates dialogue among its members.

B. Regional cooperation

20. Sixteen States have now signed the Djibouti Code of Conduct, a regional cooperation agreement aimed at combating piracy through sharing of information, interdiction of vessels, prosecution of persons suspected of piracy, and facilitation of the care of individuals who have been subjected to pirate attacks. IMO has established a project implementation unit to help coordinate and manage capacity-building activities to facilitate the Code's implementation. The activities are being funded by the IMO Djibouti Code Trust Fund, which currently holds about $13.8 million. Projects are currently focusing on the development of three regional counter-piracy information-sharing centres in Dar es Salaam, United Republic of Tanzania; Mombasa, Kenya; and Sana'a, as well as a regional training facility in Djibouti. In addition, IMO has provided regional training on mechanisms for maritime law enforcement, communications and other issues of concern, and assists Member States in bringing national anti-piracy legislation into line with the Djibouti Code of Conduct.

21. During the period under review, the Common Market for Eastern and Southern Africa (COMESA), the Intergovernmental Authority on Development, the Indian Ocean Commission, the League of Arab States, the Organization of the Islamic Conference and the Southern African Development Community kept the issues addressed in the present report on their agenda.

22. Momentum in favour of a regional action plan increased after Seychelles hosted a regional ministerial conference on piracy on 21 May 2010, an international symposium on maritime security on 12 and 13 July, and a technical workshop on 19 and 20 July on piracy in the Western Indian Ocean. The Indian Ocean Commission, as current chair of the Interregional Coordination Committee in the region, will take the lead in liaising with all the participating regional economic communities in the framework of the initial implementation of the regional action plan until it is validated by all States and organizations involved. COMESA endorsed the process of developing the regional anti-piracy plan at its fourteenth summit, held on 1 September 2010.

23. The second regional ministerial conference on piracy, held in Mauritius on 7 October 2010, adopted a regional strategy that provides for a regional framework to prevent and combat piracy and promote maritime security. The ministers also adopted a rolling regional plan of action underpinning the regional strategy, which encompasses the exchange of information, cooperation, joint action and capacity-building as cross-cutting principles.

C. Naval activities off the coast of Somalia

24. During the reporting period, the three multinational maritime coalition forces contributing to the fight against piracy off the coast of Somalia have maintained their critical presence in the region. The European Union Naval Force's (EU NAVFOR) Operation Atalanta, the NATO Operation Ocean Shield and the Combined Maritime Forces' Combined Taskforce 151 (CTF-151) continue to patrol the Gulf of Aden and the waters off the coast of Somalia. They provide escorts for commercial vessels and those commissioned by the United Nations to deliver logistical support for the African Union Mission in Somalia (AMISOM) and humanitarian assistance to Somalia. In addition, several Member States have independently deployed naval military assets in the region as part of the international counter-piracy effort, some of which are coordinated with the multinational coalitions.

European Union

25. The European Union's first naval operation, Atalanta, continues to play an instrumental role in the international community's efforts to deter, prevent and repress piracy and armed robbery at sea off the coast of Somalia. Since it commenced operational activities at the end of 2008, Operation Atalanta has successfully disrupted more than 60 attacks. States members of the European Union and contributing non-European Union States have deployed naval assets comprising more than 45 vessels and aircraft and 1,800 personnel as part of the operation or to supplement the team at the European Union operational headquarters.

26. Operation Atalanta operates in a zone comprising the Gulf of Aden and part of the Indian Ocean, including Seychelles, and has recently expanded to cover an area further east in the Indian Ocean. One focus of Operation Atalanta is the protection of vessels of the World Food Programme (WFP), as well as of the sea-based shipping of the United Nations Support Office for the African Union Mission in Somalia (UNSOA).

North Atlantic Treaty Organization

27. NATO is contributing, through Operation Ocean Shield, to the international community's efforts to fight piracy off the Somali coast. The initiative comprises five NATO vessels that patrol the waters off the coast of the Horn of Africa and along the internationally recommended transit corridor. Moreover, as part of Operation Ocean Shield, NATO is exploring its possible contribution to capacity-building to assist regional States, upon their request, in the development of their own ability to combat piracy in full complementarity with existing international efforts.

28. During the reporting period, NATO successfully disrupted 148 pirate attacks. NATO routinely provides, on average, at least a third of the warships securing the internationally recommended transit corridor in the Gulf of Aden. Moreover, NATO is undertaking, on a rotational basis, the role of coordinator of the internationally recommended transit corridor in the Gulf of Aden, and NATO warships will assume coordination of operations in the Somali Basin for six months beginning in December 2010. The North Atlantic Council has also authorized the escorting of United Nations chartered vessels up to the harbour entrance of Mogadishu.

Combined Maritime Forces

29. As noted in my previous report, the Combined Maritime Forces are a United States-led international naval coalition of 25 nations that conducts integrated and coordinated operations in the Gulf of Aden, the Gulf of Oman, the Arabian Sea, the Arabian Gulf, the Red Sea and parts of the Indian Ocean. The Combined Maritime Forces are made up of three distinct Task Forces; CTF-150, CTF-151 and CTF-152. The Forces conduct counter-piracy operations through CTF-151, while CTF-150 and CTF-152 conduct maritime security operations and counter-terrorism operations and aid in the building of regional capacity in the area of operations. During the reporting period, the Combined Maritime Forces, through CTF-151, successfully deterred multiple pirate attacks, rescued a motor vessel with pirates aboard, responded to emergency calls from vessels in distress and seized large quantities of contraband, including weapons, drugs and related paraphernalia. In addition, CTF-151 played a critical role in encouraging and implementing tactical "deconfliction" between all ships and Member States operating in the Gulf of Aden. During the reporting period, CTF-151 served as coordinator for the internationally recommended transit corridor and currently serves as Somali Basin coordinator. The Combined Maritime Forces hosted the Somali Basin planning conference in June 2010 and formulated a joint plan to combat piracy during the late 2010 monsoon transition period. Combined Maritime Forces continue to work with other Member States to improve military coordination through the Shared Awareness and Deconfliction group led by the Forces, EU NAVFOR and NATO.

Additional efforts by Member States

30. The efforts made by the multinational coalition forces are complemented by the individual activities conducted by Member States off the coast of Somalia. China, India, the Islamic Republic of Iran, Japan, Malaysia, the Republic of Korea, Saudi Arabia and Yemen all have deployed naval ships and/or aircraft to combat piracy in the region. In varying degrees of coordination with the coalition forces, their vessels have escorted hundreds of merchant ships; provided close protection for designated merchant vessels, including for vessels released by pirates; conducted rescue operations for vessels in distress; and confiscated large quantities of weapons and other contraband.

Coordination of military and civil-military initiatives

31. There are several mechanisms in place to coordinate the activities of the military naval assets off the coast of Somalia. During the reporting period, the Shared Awareness and Deconfliction group, led by the Combined Maritime Forces, NATO and the European Union Naval Force, has expanded to include officers from littoral and other Member States. At the group's last meeting, on 21 September 2010, more than 30 Member States were represented, together with three coalitions and representatives of industry.

32. Civil-military coordination is a key element of the strategy to protect global maritime trade transiting in the waters off the coast of Somalia. The primary mechanism for protecting merchant vessels transiting through the Gulf of Aden remains the collaboration between industry and the naval presence through the use of the internationally recommended transit corridor, as endorsed by IMO in July

2009. This enables preregistered commercial traffic to transit through high-risk seas at appropriate times, protected by the naval assets patrolling in the region.

33. Beyond those efforts, there is a need to expand and formalize the mechanism whereby information obtained by military assets at sea is effectively collected and made readily available to various law-enforcement and judicial bodies, such as the Monitoring Group on Somalia and INTERPOL, for investigative and prosecutorial purposes. IMO, INTERPOL and industry groups are currently developing guidance for seafarers on the collection of evidence and the preservation of crime scenes following acts of piracy.

D. Legal issues, including human rights considerations

34. In its resolution 1918 (2010) of 27 April 2010, the Security Council reaffirmed that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, sets out the legal framework applicable to combating piracy and armed robbery at sea, as well as other ocean activities. The Council has also made numerous references in its resolutions to the applicability of international human rights law in the context of piracy off the coast of Somalia. It is important that human rights considerations continue to guide the actions of States in all phases of counter-piracy operations, including the apprehension, detention and prosecution of suspected pirates, as well as the imprisonment of convicted pirates. International human rights law in the context of the repression of piracy was one of the issues discussed at the fifth meeting of Working Group 2 of the Contact Group on Piracy off the Coast of Somalia, held in May 2010. At the request of the Chair of the Working Group, the Office of Legal Affairs presented a non-paper on applicable international human rights law at that meeting.

35. It is disheartening that the recruitment of children into pirate groups that operate off the "Puntland" coast continues, with 10 cases recorded by monitors in January and February 2010. During 2010, several cases have been documented involving children who escaped from Al Shabaab and joined pirate groups in "Puntland" and southern and central Somalia.

36. The Security Council, in its resolution 1918 (2010), also affirmed that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermine the anti-piracy efforts of the international community. As I indicated in my report of 26 July 2010 (S/2010/394), prosecutions of acts of piracy have been conducted in 10 States: France, Germany, Kenya, Maldives, the Netherlands, Seychelles, Somalia (in the "Somaliland" and "Puntland" regions), Spain, the United States of America and Yemen.[1] Although an increasing number of States, within and outside the region, are undertaking prosecutions, it has been reported that there have been incidents in which suspected pirates have been released without having been brought to justice.[2] The United Nations, through the work of the United Nations Office on Drugs and Crime and other entities, is assisting States willing to undertake prosecutions to build the necessary capacity, including through the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia.

[1] See S/2010/394, para. 19.

[2] Ibid., para. 20.

37. In its resolution 1918 (2010), the Security Council requested me to submit a report on possible options to further the aim of prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia, including, in particular, options for creating special domestic chambers possibly with international components, a regional tribunal or an international tribunal and corresponding imprisonment arrangements, taking into account the work of the Contact Group on Piracy off the Coast of Somalia, the existing practice in establishing international and mixed tribunals, and the time and resources necessary to achieve and sustain substantive results. In response to that request, I prepared a report (S/2010/394) that identified seven options for the Council to consider.

38. The Security Council considered that report on 25 August 2010. During the debate, the international legal framework applicable to piracy was outlined, and the seven options were presented in detail. The Council issued a presidential statement (S/PRST/2010/16) in which it requested me to include in the present report any new information and observations, taking into account the work of the Contact Group, on possible ways to advance the ongoing cooperation, including with States in the region, in prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia.

39. In order to identify any additional steps that could be taken to achieve and sustain substantive results in the prosecution of piracy, I appointed Mr. Jack Lang of France on 25 August 2010 to serve as my Special Adviser on legal issues related to piracy off the coast of Somalia. He is working closely with the Office of Legal Affairs, the Department of Political Affairs and UNPOS.

40. Recent developments following the above-mentioned report have included discussions, which are at an advanced stage, between Mauritius and the European Union on a possible arrangement for the transfer of suspected pirates. In relation to prison transfer issues, the Chair of the Contact Group's Working Group 2 on legal issues and the United Nations Office on Drugs and Crime have been facilitating discussions between Seychelles and the Somali authorities, including the Transitional Federal Government and the authorities of the regions of "Puntland" and "Somaliland". These discussions have highlighted the importance of finding long-term imprisonment arrangements, ideally in Somalia, for convicted pirates.

41. The Security Council, in its resolution 1918 (2010), has noted with concern that the domestic law of a number of States lacked provisions criminalizing piracy and/or procedural provisions for effective criminal prosecution of suspected pirates, and called on all States, including States in the region, to criminalize piracy under their domestic law and favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended off the coast of Somalia, consistent with applicable international human rights law. Belgium, Japan and Seychelles each reported that they had recently adopted new legislation on piracy. The United Nations Office on Drugs and Crime has provided assistance to States in the region in the review and updating of their counter-piracy legislation. Other United Nations entities, including IMO and UNDP, also stand ready to provide assistance to States in the review and updating of such legislation. For example, UNDP collaborated with the Office in a review of counter-piracy legislation in Somalia. The drafts are currently awaiting approval by the respective competent authorities.

42. The Office of Legal Affairs, IMO and the United Nations Office on Drugs and Crime are continuing to cooperate in the compilation of national legislation on

piracy, to be made publicly available, as a resource for States. Links to national legislation and other information provided by Member States to the Secretariat are available on the website of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs.[3]

43. UNDP has continued to provide assistance and capacity-building to the police in Somalia, including in "Puntland" and "Somaliland". In addition, it has supported a comprehensive judicial programme throughout Somalia. The UNDP legal assistance programme expanded to include all regions in "Somaliland", "Puntland" and districts in Mogadishu controlled by the Transitional Federal Government. Additional assistance is being mobilized so as to ensure legal representation and due process for all those arrested on piracy-related offences.

E. Strengthening regional maritime and law-enforcement capacity

44. The prosecution of pirates has presented a formidable challenge not only for Somalia and its neighbours, but also for the broader international community. First, as I pointed out earlier, many countries have considerable lacunae in their domestic law regarding the issue of piracy. Secondly, investigations, information-sharing, and the finding and keeping of witnesses for the duration of a trial, most of whom are seafarers who change ships and companies regularly, are difficult tasks. Thirdly, the reluctance of States to provide long-term imprisonment options, rather than the lack of States willing to prosecute, has become a major constraint on piracy prosecutions. Fourthly, international networks for financing maritime piracy need to be interrupted.

45. I applaud the valiant efforts made by Member States to prosecute the pirates transferred to them by naval forces. International criminal police organizations such as INTERPOL believe that behind the majority of those prosecuted are sophisticated criminal networks, or series of networks, that are profiting from piracy. Without a concerted and targeted effort to dismantle such networks, their leadership and those that provide them with material support, we are likely to see a continuation of these attacks. It will take proactive investigations, robust analysis and increased information-sharing among Member States prosecuting such cases to identify and destroy the networks.

46. The maritime environment poses unique difficulties for the collection of evidence, with international navies often acting as the initial crime scene investigator. The piracy-related data collected by those naval forces can help increase the likelihood of successful future prosecution, especially of the leaders and networks financing and profiting from such piracy attacks. Regional initiatives to combat maritime piracy can play a key role in this respect, notably the IMO Djibouti Code of Conduct and the European Union-supported regional action plan to combat maritime piracy in East Africa and the Western Indian Ocean.

47. Multiple nations may be involved in a single piracy case. The crews of merchant vessels are often multinational, and vessels may be flagged, owned and operated by different countries. The pirates and the navy that has captured them are likely to be from countries other than the State willing to investigate and prosecute

[3] See www.un.org/Depts/los.

the case. This makes information-sharing and coordination between the military, law enforcement and judicial bodies crucial.

48. INTERPOL and Europol have entered into an agreement for a joint INTERPOL-Europol global police initiative to combat the threats posed by piracy in the Gulf of Aden. This includes the sharing and analysis of piracy-related evidence and data. This partnership has helped to identify links between investigations in Europe and Africa. An analysis work file on maritime piracy was established that focuses on organized-crime structures and financial activities linked to maritime piracy.

49. Efforts are under way to interrupt international networks of maritime piracy financing, including through the Financial Intelligence Units in East Africa and the Western Indian Ocean. In addition, the Financial Action Task Force on Money Laundering, a 34-member intergovernmental body set up in 1989 by the Group of Seven to create global policies and a framework to combat money-laundering and terror financing, has begun to focus on the issue through a project on maritime piracy and related kidnapping for ransom.

50. The United Nations system is supporting regional maritime, law-enforcement and prosecution capacity. The United Nations Office on Drugs and Crime is providing support to Kenya and Seychelles, including through the provision of legislative assistance, support and capacity-building for law enforcement, prosecutors and the judiciary. Trials of piracy suspects have been supported through the facilitation of witness attendance and the assurance of interpretation and defence counsel for unrepresented accused. The United Nations Office on Drugs and Crime has provided capacity-building to prison staff and management and improved conditions in prisons in Kenya and Seychelles. Kenya has convicted 25 persons of piracy, and another 98 are currently on trial. In Seychelles, 21 suspected pirates are currently on trial, and 11 persons were convicted of piracy in July 2010.

51. Mauritius has indicated its willingness to accept the transfer of suspected pirates for prosecution, contingent on the provision of support by the international community. The United Nations Office on Drugs and Crime is providing support to the Maldives in its efforts to counter piracy.

52. Discussions with Maldives, Mauritius and Seychelles and other States of the region have revealed a willingness to detain piracy suspects for trials but also a reluctance or refusal to hold them in national prisons once their appeals are complete. The long sentences that have been imposed in recent convictions — from 5 to 20 years — are becoming a compelling disincentive for regional States to continue to prosecute pirates. The lack of long-term imprisonment options, rather than the unwillingness of States to prosecute, is currently the major constraint on piracy prosecutions. No State in the region (other than Somalia) has expressed an interest in hosting a long-term detention facility for convicted Somali pirates.

53. The "Puntland" authorities are currently taking measures to strengthen their judicial capacity. Also noteworthy is the ongoing process of the prosecution and imprisonment of suspected pirates in "Puntland" and "Somaliland", where capacities and standards need enhancement.

54. Some prison rehabilitation projects are under way. Work on Hargeisa prison has been mostly completed, with the assistance of UNDP and the United Nations Office on Drugs and Crime, and the prison should open in mid-November 2010.

UNDP is facilitating work at Gardo prison and continues to provide the "Puntland" custodial corps with equipment and training, and to support a literacy project for inmates in "Puntland". The Office is undertaking work aimed at improving conditions and relieving overcrowding in the prison in Bossaso in "Puntland". UNDP is carrying out legal defence projects that include weekly visits to prisons in "Somaliland", "Puntland" and Mogadishu and representation of those on remand and appeal, including those suspected of piracy-related offences.

55. While a navy or coast guard is important to combat crimes at sea, Somalia has very limited capacity in this regard, and the State authority on land does not extend to local areas where pirates have bases. Other countries in the Horn of Africa region continue their efforts to build up and maintain basic naval forces and uphold harbour security. However, the strengthening of regional maritime security is imperative, and capacity-building initiatives, integrated with security sector development plans under UNPOS, need further enhancement.

56. A number of Member States and other organizations have provided training and capacity-building to Somali and regional coast guard officials, including Japan, the Republic of Korea and the League of Arab States.

57. One of the issues hindering the development of the Somali police and military is the late payment, or even non-payment, of salaries or stipends. There is a high risk that the non-payment of stipends could lead to desertion and to newly trained officers joining anti-Government militias or even pirate groups.

F. Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia

58. As I noted in my previous report (S/2010/394), in January 2010 the Contact Group on Piracy off the Coast of Somalia established a Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia. The purpose of the Trust Fund is to help defray the expenses associated with the prosecution of suspected pirates, as well as other activities related to the implementation of the Contact Group's objectives regarding the combating of piracy in all its aspects, including capacity-building and media initiatives. The Trust Fund can be replenished by both Member States and the private sector. It permits the payment of expenses associated with the prosecution and detention of suspected pirates, and provides for an emergency funding facility to offset the costs involved in prosecuting piracy suspects arrested at sea, including travel for witnesses, court equipment and transportation of suspects.

59. The Trust Fund has proved to be an efficient and rapid instrument for supporting mainly prosecution-related initiatives. I endorsed the creation of the Board of the Trust Fund pursuant to the provision contained in section V of the terms of reference for the Fund. The Board is composed of 10 Member States and three non-voting Board members (IMO, UNPOS and the United Nations Office on Drugs and Crime) and is chaired by the United Nations Under-Secretary-General for Political Affairs, with the United Nations Office on Drugs and Crime acting as fund manager. As at 11 October 2010, the Trust Fund had received a total of $2,930,758. As at 10 June 2010, the Board had unanimously recommended the disbursement of $2,413,373 to fund a total of seven projects supporting prosecution- and detention-related activities in Kenya, Seychelles and Somalia, as well as one project implementing parts of the communication strategy endorsed earlier by the plenary of

the Contact Group. I urge Member States and the maritime industry to contribute generously to the Trust Fund.

G. Further efforts to safeguard international navigation off the coast of Somalia

60. In May 2010, the IMO Maritime Safety Committee approved a mechanism to provide long-range identification and tracking of ships to warships operating in the Gulf of Aden and the Western Indian Ocean, thus significantly enhancing their awareness of the location of merchant shipping. IMO is promoting enhanced "maritime domain awareness", the effective understanding of anything associated with the global maritime domain that could have an impact on the security, safety and economy of, or the environment between, Seychelles, Madagascar, Mauritius, Comoros, the United Republic of Tanzania and Kenya. This could reduce the current burden on the international navies.

61. It has been observed that the ships that fall prey to pirates are often those that do not follow IMO guidance, including the industry-developed best management practices, and do not have a protection plan that can be certified against an industry standard. The IMO Maritime Safety Committee has promulgated the revised best management practices 3 as a Committee circular, thus ensuring wide distribution to the global shipping community.

62. The efforts made by Member States and the shipping industry to ensure the full observance of best management practices are essential to providing a first line of protection. Measures include changing individual ships' security plans; the design or modification of vessel structure so as to prevent pirates from, or delay them in, gaining control of the vessel in the event that they board; and the use of appropriate, non-lethal measures, including netting, wire, electric fencing, long-range acoustic devices and fire hoses, to prevent boarding.

63. It will also be important to establish international standards of training and certification for professional shipboard unarmed security consultants and third-party security providers that can be easily implemented. Certified vessel protection detachments, provided only by Member States, are being increasingly utilized, including for WFP- and UNSOA-chartered ships sailing close to the Somali coast. However, the risk of potential escalation needs to be mitigated through the undertaking of sufficient training and the application of the approved standard operating procedures. Moreover, measures should be taken to ensure a sufficient level of oversight and accountability for actions undertaken by any non-State actors involved in providing on-board security.

64. Many Member States reported that they had taken the necessary steps to ensure the widest possible dissemination of the relevant counter-piracy guidance and IMO recommendations to the shipping industry and others. Egypt reported that the Suez Canal Authority had distributed charts, maps and pamphlets in this regard. Belgium and the Republic of Korea reported that they had organized meetings and seminars on piracy during the reporting period.

65. The IMO Council decided in June 2010 that the theme for World Maritime Day 2011 should be "Piracy: orchestrating the response". This will help to raise awareness further and, it is hoped, to galvanize action towards the implementation of effective counter-piracy measures. It was agreed that greater attention needed to be given to the release of all hostages currently being held in Somalia.

66. On World Maritime Day, on 23 September 2010, an e-petition with close to one million signatures was presented to IMO to demonstrate the shipping industry's serious and universal concern about the piracy problem.

H. Addressing the root causes of piracy off the coast of Somalia

67. As I have said previously, acts of piracy and armed robbery at sea off the coast of Somalia are a symptom of the instability and lack of rule of law in Somalia. The Transitional Federal Government is attempting to establish its governance structures and the rule of law, including through the development of the security and justice sectors. However, these efforts are being hampered by the prevailing security situation. Pirate attacks are severely constraining the importation of goods into the country. Food prices have risen, and investment in the local economy has been affected as building materials and other raw materials have become less available. Unemployment is widespread. These conditions have led many young Somalis to join armed groups and militias or caused them to be drawn into criminal activity, including piracy.

68. The payment of ransoms to free hostages and ships has also created an incentive for Somalis to engage in piracy or to profit from the resulting piracy economy that exists in some places along the Somali coast. There is no official estimate of the sum of the ransom payments made over the reporting period, but experts assume it to be in the tens, if not hundreds, of millions of dollars. Of note is the fact that ship owners can take out private insurance that covers negotiation assistance and ransom payments in the event of a kidnap for ransom.

69. It has been observed that in places where pirates have established bases, the local economy revolves around the hijacking of ships. Piracy has become woven into the social and economic fabric of everyday life in those parts of Somalia. Realities on the ground have at times led to regional administrations turning a blind eye to pirate group activity. The international community is thus faced with a dilemma: on the one hand, the payment of a ransom is often the only feasible, available method of freeing hostages and ships; on the other hand, the aggregate economic effect has created a daunting challenge for alternative livelihood programmes and the socio-economic rehabilitation of coastal zones.

70. The root causes of piracy are found on land, and tackling them requires security on the ground. While integrated efforts at sea need to continue, it will also be important to achieve security in Somali territorial waters so as to deter pirates going to sea in the first place. Security sector development, especially with respect to the police and the coast guard, is vital, as is the development of meaningful alternative livelihoods and rehabilitation programmes.

V. Targeted sanctions

71. The Monitoring Group on Somalia established pursuant to Security Council resolution 1853 (2008) investigated and reported on the activities of Somali maritime militias engaged in piracy and armed robbery at sea. The Monitoring Group's report of 10 March 2010 (S/2010/91) described well-established piracy networks operating between Bossaso and Xarardheere, and identified an emerging

pirate militia operating from Laasqoray, a coastal town located in the eastern Sanaag region of Somalia. The numerous hijackings perpetrated by those militias between 2005 and 2009 constitute a threat to peace and security and are prohibited by paragraph 8 (a) of resolution 1844 (2008). In some cases, acts of piracy have also obstructed the delivery of humanitarian assistance, which is prohibited under paragraph 8 (c) of the same resolution. On the basis of its investigations, between July 2009 and March 2010 the Monitoring Group on Somalia identified and recommended four Somali pirate leaders for designation by the Security Council Committee established pursuant to resolutions 751 (1992) and 1907 (2009).

72. The Monitoring Group on Somalia and Eritrea established pursuant to resolution 1916 (2010), which began work in August 2010, will continue to investigate and report on pirate militias and their financiers, facilitators, active supporters and beneficiaries. Additional individuals may be recommended for designation by the Committee.

VI. Assistance provided to the World Food Programme and the United Nations Support Office for AMISOM

73. Ocean transport remains the primary, most cost-effective and fastest means of relief food delivery to Somalia. Currently, all food provided to Somalia by WFP and all transport in support of AMISOM from UNSOA arrives by sea.

74. At the peak of operations, from mid-2008 to mid-2009, WFP food deliveries averaged five to seven shipments into Somalia per month as a result of the availability of sufficient resources as well as naval escorts. An average of three shipments per month sailed for Somalia in 2010, as there was an "operational pause" in southern Somalia owing to resource constraints and an inability to operate in areas controlled by Al Shabaab.

75. The naval escorts provided since November 2007 for ships loaded with WFP food and other humanitarian assistance have protected deliveries to Somalia from pirate attacks, despite the increase in piracy in the region. I am grateful to Member States and regional groupings, specifically the European Union, for providing the escorts at no cost. Since my previous report, EU NAVFOR, NATO and the Russian Federation have provided warships to escort WFP shipping and UNSOA deliveries. Without such escorts, the WFP maritime supply route for the delivery of life-saving food assistance to 1.8 million vulnerable Somalis would be threatened. Since the start of the use of naval escorts, no ship loaded with WFP food heading to Somalia has been attacked by pirates.

76. A total of 586,256 metric tons of WFP food on 110 vessels have been escorted safely to Somalia since November 2007. Under European Union Operation Atalanta, 68 ships chartered by WFP Somalia, loaded with 366,065 metric tons, have been safely escorted. Additionally, five vessels chartered by WFP headquarters carrying 120,570 tons of food were safely escorted.

VII. Coordination and leadership role of the United Nations

77. The United Nations remains committed to addressing the problem of piracy and armed robbery at sea off the coast of Somalia in all its aspects. A central pillar

of its capacity to do so effectively is the ability to coordinate the various counter-piracy activities of the United Nations departments, programmes and specialized agencies. It is vitally important that the work of the Contact Group on Piracy off the Coast of Somalia, the piracy task force of the Prime Minister of the Transitional Federal Government naval operations and development programmes are integrated into an overall strategy for Somalia as a whole.

78. In the reporting period, the United Nations Integrated Task Force for Somalia established a sub-working group on piracy. It comprises 16 entities, including IMO, INTERPOL, the United Nations Office on Drugs and Crime and the Monitoring Group on Somalia, and is chaired by the Department of Political Affairs. The main purpose of the sub-working group is to share information, exchange ideas and ensure collaboration and coordination on the issue of counter-piracy.

VIII. Observations

79. During the reporting period, Member States have invested substantial efforts and resources in containing the threat of piracy and armed robbery at sea off the coast of Somalia, including by deploying patrolling naval ships and military aircraft. Also, more has been done to self-protect ships transiting the area. A number of cooperation mechanisms have been created which have led to an increased level of shared awareness and cooperation among international navies and military assets. I would like to express once again my appreciation to, inter alia, the European Union, NATO and all Member States participating in the protection at sea of WFP humanitarian shipments and United Nations vessels delivering logistical support to AMISOM.

80. While the effectiveness of naval disruption operations has increased and more pirates have been arrested and prosecuted, this has not stopped piracy. The trend of the increased levels of violence employed by the pirates as well as their expanding reach is disconcerting. I appeal to all ships traversing the high seas off the coast of Somalia to follow IMO recommendations and industry-developed best management practices, which have proved to significantly reduce the risk of being hijacked.

81. I welcome the significant steps taken to prosecute suspected pirates and imprison convicted offenders. I thank the countries that are currently shouldering this burden, in particular Kenya and Seychelles, and I welcome the intention of Mauritius to also become a regional centre for the prosecution of pirates. A number of Member States have provided resources for these activities, including through the Trust Fund mentioned earlier in the present report. However, much more needs to be done, including improving the collection of evidence and other investigative elements upon arrest at sea, building capacity in this area and finding long-term legal solutions that contribute to the deterrence of piracy. In this regard, I look forward to discussing the results of the recent missions of my Special Adviser on legal issues related to piracy off the coast of Somalia to concerned capitals as well as to Somalia and affected States in the region.

82. Together with Member States, INTERPOL and Europol are working to expose the work of international criminal networks that profit from piracy off the coast of Somalia. We need to know more about whether there are any connections to the financing of militias or insurgent groups in Somalia or elsewhere. Also, little is known about the impact of piracy on women, especially those living in areas where

the criminals operate. Investigations in these areas should continue and be strengthened. I urge the Monitoring Group on Somalia and Eritrea to continue to investigate and report on pirate militias and their financiers, facilitators, active supporters and beneficiaries.

83. Piracy in the region has had an immense impact on the economies of East Africa and also the wider world. International trade routes are threatened and goods in the region as well as in Somalia are becoming more expensive. This is made worse by the bleak state of the global economy. I therefore applaud the extensive work under way by Member States to coordinate international and bilateral responses to piracy, at both the military and political levels. The work of IMO through the Djibouti Code of Conduct and the Contact Group on Piracy off the Coast of Somalia has been very useful in this regard. I would therefore call upon all Member States, international organizations and non-governmental organizations to coordinate their efforts with those of IMO and the signatory States to the Djibouti Code of Conduct, the United Nations Office on Drugs and Crime and the Contact Group.

84. The severity of the problem off the coast of Somalia is a relatively recent phenomenon. Yet I am afraid that the problem will not only be with us for a long time to come, but also has the potential to become worse unless both Somalis and the international community address its root causes. There is an urgent need to combine the vital sea-based and judicial counter-piracy initiatives described in the present report with the search for a solution for Somalia as a whole, in support of the Djibouti Peace Agreement. Law enforcement is an essential requirement if piracy is to be stopped. It is also important that Member States provide funding and resources directly to the Transitional Federal Government, as these funds and resources will help to support the Government's efforts to fight piracy.

85. In this respect, I urge regional administrations such as those in "Somaliland" and "Puntland" to not be complacent about the activity of pirate groups and to strengthen their efforts to promote political and security stability equally. The Kampala Process is an important vehicle for coordinating counter-piracy policy and action in Somalia and should be invigorated and strengthened.

86. Maritime security for Somalia needs complementary action inshore, in the zone between the coast and international waters, in addition to the counter-piracy activities in the high seas. With regard to the security sector, vital work is under way by the Contact Group on Piracy off the Coast of Somalia to develop regional and Somali capacity on land and inshore waters. This must be linked to institution-building for the security sector, as set out in the Somalia security assessment. Work is needed to bring together the efforts of the Contact Group, the United Nations Office on Drugs and Crime and those charged under the Djibouti Peace Agreement with security sector reform. In addition, more thought needs to be given to the nexus of counter-piracy with development. It is vital that the Transitional Federal Government take steps to promote maritime security and the development of alternative livelihoods in the maritime environment. This should be coordinated with the security sector reform programme and other economic rehabilitation efforts. The Somali people, particularly the youth, need greater incentives to avoid succumbing to the lure of the pirate economy. I have instructed my Special Representative to further explore these issues with the Transitional Federal Government and other actors.

87. Finally, I would like to stress that the fate of the hundreds of kidnapped seafarers, the direct victims of Somali piracy, are of special concern to me. Their continued captivity, in some cases in confinement for extended periods, is unacceptable. In many cases, the victims' whereabouts are not known, and no independent entity is able to verify their state of health and well-being. I urge the Transitional Federal Government and regional administrations to make their best efforts to bring an end to this practice of kidnapping for ransom. I call on Governments, private companies and non-governmental organizations to explore how best to help secure their release.

United Nations S/2010/557

Security Council

Distr.: General
29 October 2010

Original: English

Draft resolution

The Security Council,

Recalling resolution 1645 (2005) and in particular its paragraph 27,

Reaffirming the importance of the peacebuilding work carried out by the United Nations, and the need for sustained support and adequate resources for this work,

Recognizing the role of the Peacebuilding Commission as a dedicated intergovernmental advisory body to address the needs of countries emerging from conflict towards sustainable peace,

1. *Welcomes* the report presented by the co-facilitators entitled "*Review of the United Nations Peacebuilding Architecture*", as set out in document S/2010/393, which is based on extensive consultations with the United Nations membership and other stakeholders;

2. *Requests* all relevant United Nations actors to take forward, within their mandates and as appropriate, the recommendations of the report with the aim of further improving the effectiveness of the Peacebuilding Commission;

3. *Recognizes* that the peacebuilding work of the United Nations requires sustained support and adequate resources to meet the challenges;

4. *Requests* the Peacebuilding Commission to reflect in its annual reports progress made in taking forward the relevant recommendations of the report;

5. *Calls* for a further comprehensive review five years after the adoption of the present resolution following the procedure as set out in paragraph 27 of resolution 1645 (2005);

6. *Decides* to remain seized of the matter.

10-61202 (E) 291010

Please recycle

United Nations A/65/545–S/2010/558

General Assembly
Security Council

Distr.: General
1 November 2010

Original: English

General Assembly
Sixty-fifth session
Agenda items 14, 15, 20, 24, 29, 33, 36, 37, 38, 39, 43, 52, 54, 60, 66, 93, 97, 103, 107 and 122 (s)

Security Council
Sixty-fifth year

Global Agenda for Dialogue among Civilizations

Culture of peace

Sustainable development

Eradication of poverty and other development issues

Report of the Security Council

Prevention of armed conflict

The situation in the Middle East

Question of Palestine

The situation in Afghanistan

The situation in the occupied territories of Azerbaijan

Question of Cyprus

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Questions relating to information

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

Elimination of racism, racial discrimination, xenophobia and related intolerance

Establishment of a nuclear-weapon-free zone in the region of the Middle East

General and complete disarmament

10-61449 (E) 081110

Please recycle

Comprehensive Nuclear-Test-Ban Treaty

Measures to eliminate international terrorism

Cooperation between the United Nations and the Organization of the Islamic Conference

Identical letters dated 28 October 2010 from the Permanent Representative of Tajikistan to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour, in my capacity as Chair of the Organization of the Islamic Conference Group in New York, to transmit herewith the Dushanbe Declaration of the thirty-seventh session of the Council of Foreign Ministers of the Organization of the Islamic Conference, held in Dushanbe in May 2010 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda items 14, 15, 20, 24, 29, 33, 36, 37, 38, 39, 43, 52, 54, 60, 66, 93, 97, 103, 107, and 122 (s), and of the Security Council.

(*Signed*) Sirodjidin **Aslov**
Ambassador, Permanent Representative

Annex to the identical letters dated 28 October 2010 from the Permanent Representative of Tajikistan to the United Nations addressed to the Secretary-General and the President of the Security Council

Dushanbe Declaration adopted at the thirty-seventh session of the Council of Foreign Ministers of the Organization of the Islamic Conference

A Shared Vision of a More Secure and Prosperous Islamic World

Dushanbe, Republic of Tajikistan
04-06 Jumada al Thani 1431h
(18 to 20 May 2010)

We, the Ministers of Foreign Affairs and Heads of Delegation of the Member States of the Organization of the Islamic Conference (OIC), participating in the thirty-seventh session of the Council of Foreign Ministers, under the motto "A shared vision of a more secure and prosperous Islamic world", meeting in Dushanbe, which has been chosen as the capital of Islamic culture for the year 2010, at a time when the Muslim world is facing serious political, socio-economic, cultural and scientific challenges, declare the following:

The Organization of the Islamic Conference, as the second largest intergovernmental organization after the United Nations, should play a key role in strengthening mutual coordination and cooperation to confront the challenges and threats facing the Islamic countries.

The current session of the Council of Foreign Ministers is of special importance this year, as it takes place for the first time in Central Asia, known in the history of Islam as "Mawaraunnahr"; this is considered a sign of the growing interest of the Organization and its member States in Central Asia and underlines the contribution and cultural role of the region in the history of Muslim religion and thought, as well as in the development of Islamic sciences such as Fiqh, Hadith and Tafsir.

Forty years after its establishment, OIC has undergone major changes, and so still has to cope with the issues of conflict and dispute resolutions. The time has come for all those playing a role in the process of comprehensive security at OIC to address these changes by remaining loyal to its founding values and principles like the ones expressed in the OIC Charter and the "Ten-Year Programme of Action to Meet the Challenges Facing the Muslim Ummah in the 21st Century". This is precisely the purpose of the organization, which draws above all on our political resolve and our belief that security is our "common concern".

The situation in the Middle East will remain tense as long as Israel persists in its obstinate policies and in hindering peace efforts, and until a comprehensive and just settlement covering all aspects of the problem is reached. Therefore we call for an intensification of efforts by the international community, including by the Security Council, in line with its Charter responsibilities, aimed at accelerating the process of achieving a just and comprehensive peace settlement in the Middle East.

In this context, the Council strongly condemns all illegal measures and actions in Occupied East Jerusalem aimed at judaizing this city which has an Arab and Islamic character, including, in particular, the building of settlements that threaten to undermine any negotiation leading to an end to the Israeli occupation of 1967 and the establishment of an independent, contiguous and viable Palestinian State, on all Palestinian territories occupied by Israel in 1967, with East Jerusalem as its capital. We commend the efforts made by His Majesty King Mohammed VI, Chairman of the Al-Quds Committee, and Bayt Mal Al-Quds in order to preserve the identity of the city of Al-Quds Al-Sharif and support the steadfastness of its people. We also condemn Israel's persisting occupation of the Syrian Golan and Lebanese territories, and we emphasize our support for these two countries in regaining all their territories occupied by Israel in 1967.

Reaffirming the joint position of the OIC member States in favour of a long-term commitment to Afghanistan and will bring peace and stability and socio-economic rehabilitation to this country, and in view of the infrastructural development of Afghanistan, we considered it important to offer technical assistance to relevant member States in construction of transit roads connecting the countries of Central Asia with Afghanistan.

We condemn the aggression of Armenia against Azerbaijan and call for the resolution of the conflict on the basis of respect for the territorial integrity and inviolability of the internationally recognized borders of the Republic of Azerbaijan. We have also adopted resolutions in the political field expressing our full solidarity with Somalia, Iraq, the Sudan, Yemen, the Comoros, Azerbaijan, Bosnia and Herzegovina, Côte d'Ivoire, Guinea, Djibouti, Jammu and Kashmir, the Turkish Cypriot State and the Kosovo people.,

We welcomed, with appreciation, the joint declaration signed in Tehran on 17 May 2010 by the Foreign Ministers of the Islamic Republic of Iran, Turkey and Brazil on the exchange of nuclear fuel. We strongly call on the international community to support the joint declaration and to build upon the positive atmosphere created thereafter for future comprehensive agreements on all aspects of the issue.

Terrorism continues to pose a serious threat to international peace and security. We reaffirm that terrorism should never be associated with any religion, race, faith, values, culture, society or group. In this increasingly globalized world, we need more than ever before understanding, harmony, mutual respect, and building of bridges among all cultures and peoples.

We reaffirm the proposal of the Custodian of the Two Holy Mosques King Abdullah Bin Abdulaziz on the establishment of an international centre for combating terrorism under the umbrella of the United Nations for the immediate exchange of information and for cooperation and coordination among the member States, with a view to reinforcing the efforts aimed at combating this serious plight, in accordance with the recommendations of the International Counter-Terrorism Conference (Riyadh, February 2005) and with the resolutions of many international and regional organizations.

Armed conflicts, the proliferation of weapons of mass destruction and other threats continue to challenge the foundations of international peace and security. We called upon the participants in the 2010 Review Conference of the Parties to the

Treaty on the Non-Proliferation of Nuclear Weapons (New York, 3 to 28 May 2010) to engage in a constructive exchange of views on further strengthening the non-proliferation regime and disarmament. We reaffirmed the continuation of consultations on the practical implementation of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, which entered into force on 21 March 2009. We also support the establishment of a Middle East free from nuclear weapons in implementation of the resolution adopted at the 1995 Review and Extension Conference.

While considering the importance of dialogue among civilizations and the expansion of relations between the Islamic world and other cultures and civilizations, we reiterate our commitment to continue efforts to engage with the West in projecting the true image of Islam.

We reaffirm, in this context, the Initiative of the Custodian of the Two Holy Mosques King Abdullah Bin Abdulaziz on Interfaith and Intercultural Dialogue, on which conferences were held in Makkah, Madrid, New York and Geneva, convinced that that initiative will promote moderation, tolerance and will encourage dialogue for shunning violence and extremism.

We are almost half way through since the adoption of the Ten-Year Programme of Action of the Third Extraordinary Session in Makkah Al-Mukarramah on 5-6 Dhul Qa'ada 1426 (7 and 8 December 2005) and the Vision 1441 H for Science and Technology. In our deliberations, we focused on our achievements and shortcomings over these years. Efforts need to be made to support human development and inadequate education systems, which makes it necessary to take bold decisions and make changes where necessary if the strategies adopted so far require development.

The meeting reiterated the fundamental principle of free movement of goods, persons, services, energy resources and capital and preventing technical barriers among the OIC member States, which may positively contribute to fighting global crises and achieving sustainable development.

Taking into consideration the water crises that were aggravated by the growth of population and global climate change, and bearing in mind that the international community should take specific measures to ensure integrated and better use of water resources in order to meet the needs of the people, the environment and the economies of all countries, we welcomed the initiative of Tajikistan to declare the year *2012 as the International Year of Water Diplomacy*, in order to undertake further coordinated efforts on better use of water resources at the national, regional and international levels.

The meeting welcomed the high-level international conference on the midterm comprehensive review of the implementation of the International Decade for Action, "Water for Life", 2005-2015, to be held in Dushanbe, Tajikistan, from 8 to 10 June 2010, and encouraged all member States and relevant OIC institutions to actively participate in it.

We condemn the mounting trend of Islamophobia and systematic discrimination against Muslims. We call upon the international community to prevent incitement to hatred and discrimination against Muslims and to take effective measures to combat the defamation of religions and negative stereotyping of people on the basis of religion, faith or race. We request the Secretary-General to

continue the OIC initiatives in order to effectively counter Islamophobia through discussions and deliberations in various international fora.

The meeting welcomed the outcome of the special interactive brainstorming session during the thirty-seventh session of the Council of Foreign Ministers on the theme of "Central Asia: Strategic vision for solidarity", and encouraged the active participation of the Central Asian OIC member States in joint Islamic action.

We welcome the offer made by the Republic of Guinea to host the fortieth session of the Council of Foreign Ministers of OIC member States in Conakry in 2013.

We express our profound gratitude to the Secretary-General, Professor Ekmeleddin Ihsanoglu, for promoting and supporting the causes of the Muslim world and for adopting the best international practices in the Organization's rendering of services and advancing the role of OIC as an active and important actor at the global level.

We express our deep appreciation to His Excellency Mr. Emomali Rahmon, President of the Republic of Tajikistan, and to the people and Government of the Republic of Tajikistan for their efforts in organizing the Conference and for their generosity and hospitality that led to the success of the thirty-seventy session of the Council of Foreign Ministers.